UNITED STATES PATENT AND TRADEMARK OFFICE

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CAO, DIEM K

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	09/910,282	YAMADE, YASUSHI
Office Action Summary	Examiner	Art Unit	
	DIEM K. CAO	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 October 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4-10,13-18,23-30 and 32-46* is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *4-10,13-18,23-30 and 32-46* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☐ All　b)☐ Some * c)☐ None of:
　　　1.☐ Certified copies of the priority documents have been received.
　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 4-10, 13-18, 23-30 and 32-46 are pending. Applicant has amended claims 4, 13,

23, 32, 33 and 40.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 10/23/2008 has been entered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 4-6, 10, 13-15, 23-25, 29-30 and 32 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Raspe (U.S. 6,775,768 B1) in view of Nishikawa et al. (7,280,245

B1).

As to claim 4, Raspe teaches a step for installing a device driver stored on a recording

medium on a computer terminal (abstract), comprising a step of automatically referring to

regional information identifying a particular region before the driver is installed on the computer

system (the program determines whether the language.flg flag is present; col. 4, lines 50-51, lines

57-60 and col. 5, lines 31-33), and a step of installing the device driver on the computer terminal

(col. 8, lines 36-56). Raspe further teaches the recording medium stores drivers for many

different types of devices, many different languages using by end users (col. 2, lines 35-43).

Raspe does not explicitly teach a printer driver, regional information being set in the

computer terminal in advance, a selection step of automatically selecting a piece of setup

information from multiple pieces of setup information stored on the recording medium on the

basis of the referred to regional information, the multiple pieces of setup information

corresponding to multiple different regions, respectively, wherein the selected piece of setup

information affects assortment of selectable items to be displayed on a screen initiated by the

printer driver when a printing is executed by a user, and a step of installing a control program

contained in the printer driver and the selected piece of setup information on the computer

terminal, wherein the control program is common to the different regions.

However, Nishikawa teaches a printer driver (abstract), the regional information being set

in the computer terminal in advance (local ID is stored in a file; col. 10, lines 12-13), a selection

step of automatically selecting a piece of setup information from multiple pieces of setup

information stored on the recording medium on the basis of the referred to regional information

(Next, based on the acquired local ID, a resource file name corresponding to the local ID is

acquired; col. 10, lines 13-14 and col. 8, lines 36-46), the multiple pieces of setup information

corresponding to multiple different regions, respectively (a resource file name ... is Cpcr411.dll;

col. 8, lines 36-46 and col. 10, lines 44-45), wherein the selected piece of setup information

affects assortment of selectable items to be displayed on a screen initiated by the printer driver

when a printing is executed by a user (enlargement/reduction, "N-up printing" for reducing …

other functions which cannot be realized by the application program 201; col. 6, lines 40-42 and

The second embodiment … to change setting of processing contents; col. 9, lines 44-50 and the

resource file is loaded and data is acquired … can be decided; col. 10, lines5-7 and lines 36-39,

lines 48-50), and a step of installing a control program contained in the printer driver (the

graphic engine 202 … to the host computer; col. 5, lines 55-60) and the selected piece of setup

information on the computer terminal (Next, the resource file is loaded … as a display language

resource; col. 10, lines 22-35), wherein the control program is common to the different regions

(inherent from there is only one printer driver for the printer, and multiple resource files for

multiple region, wherein the correct resource file for the identified region is loaded and setup at

runtime).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to apply the teaching of Nishikawa to the system of Raspe because Nishikawa teaches

a control data of the peripheral device is changes correspondence with environment data

(abstract), which when apply to the system of Raspe, the control data of the peripheral device

such as selectable display data will be installed based on the language being set in the computer.

As to claim 5, Nishikawa teaches the selection step is executed by using a setup selection

module contained in the control program (col. 8, lines 21-26).

As to claim 6, Nishikawa teaches the setup information includes language information used for displaying the status of printing conditions on a screen (col. 9, lines 44-50).

As to claim 10, Nishikawa teaches the regional information set in the computer terminal in advance includes information concerning languages set in the computer terminal (col. 9, lines 44-50).

As to claim 13, see rejection of claim 4 above. Nishikawa further teaches a computer-readable medium storing a printer driver containing a control program (col. 5, lines 45-47) and multiple pieces of setup information corresponding to each regional information (a resource file name ... is Cpcr411.dll; col. 8, lines 36-46 and col. 10, lines 44-45), and an installation program for installing the printer driver to a computer terminal (col. 5, lines 55-57).

As to claim 14, see rejection of claim 5 above.

As to claim 15, see rejection of claim 6 above.

As to claim 23, see rejection of claim 4 above.

As to claims 24-25, see rejections of claims 5-6 above.

As to claim 29, see rejection of claim 10 above.

As to claim 30, Nishikawa teaches wherein the plurality of pieces of setup information is stored in a computer-readable recording medium (col. 5, lines 45-47) and col. 8, lines 40-42).

As to claim 32, it is the same as the method claim of claim 4 above except this is a computer product claim and is rejected under the same ground of rejection.

5.   **Claims 33-36, 40-42 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (7,280,245 B1) in view of Raspe (U.S. 6,775,768 B1).**

As to claim 33, Nishikawa teaches a method for installing a device driver on a computer terminal, comprising the steps of:

- providing a region independent control program block (printer driver; col. 5, lines 45-47) and a plurality of region dependent message blocks (a resource file name ... is Cpcr411.dll; col. 8, lines 36-46 and col. 10, lines 44-45),

- selecting, one of the plurality of region dependent message blocks on the basis of a region where the computer terminal belongs (Next, based on the acquired local ID, a resource file name corresponding to the local ID is acquired; col. 10, lines 13-14 and col. 8, lines 36-46 and assume that 411 indicative of Japan is stored as a local ID; col. 10, lines 9-10, and lines 44-45);

- installing the device driver customized to one of the regions where the computer terminal belongs, by installing the region independent control program (the graphic engine 202 …

to the host computer; col. 5, lines 55-60) and one of the plurality of region dependent

message blocks in accordance with the region where the computer terminal belongs

(Next, the resource file is loaded … as a display language resource; col. 10, lines 22-35);

-    wherein the one of the plurality of region dependent message blocks affects assortment of

selectable items to be displayed on a screen initiated by the printer driver when a printing

is executed by a user (enlargement/reduction, "N-up printing" for reducing … other

functions which cannot be realized by the application program 201; col. 6, lines 40-42

and The second embodiment … to change setting of processing contents; col. 9, lines 44-

50 and the resource file is loaded and data is acquired … can be decided; col. 10, lines5-7

and lines 36-39, lines 48-50).

Nishikawa does not teach selecting, before the device driver is installed. However, Raspe

teaches a method for installing a device driver stored on a recording medium on a computer

terminal (abstract), comprising a step of automatically referring to regional information

identifying a particular region before the driver is installed on the computer system (the program

determines whether the language.flg flag is present; col. 4, lines 50-51, lines 57-60 and col. 5,

lines 31-33), and a step of installing the device driver on the computer terminal (col. 8, lines 36-

56).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to apply the teaching of Raspe to the system of Nishikawa because Rapse teaches a

method of automatically installing a corresponding driver for a device based on the language

being used by the end user, wherein the driver is stored on a universal boot disk that

accommodates many different devices and many different languages spoken by end users (col. 2,

lines 35-39).

As to claim 34, Nishikawa teaches detecting the region where the computer terminal

belongs by checking regional information set in the computer terminal in advance (First, a local

ID is acquired from a temporary storage file; col. 10, lines 12-13, assume that 411 indicative of

Japan is stored as a local ID; col. 10, lines 9-10 and lines 44-45, and local ID is stored in a file;

col. 10, lines 12-13), and selecting one of the plurality of region dependent message blocks on

the basis of the detected region (Next, based on the acquired local ID, a resource file name

corresponding to the local ID is acquired; col. 10, lines 13-14 and col. 8, lines 36-46).

As to claim 35, see rejection of claim 5 above.

As to claim 36, Nishikawa teaches wherein the plurality of region dependent message

blocks contain information about the display language (col. 9, lines 44-50).

As to claims 40 and 45, see rejections of claim 33-34 above.

As to claim 42, see rejection of claim 36 above.

As to claim 41, see rejection of claim 35 above.

6.   Claims 7, 8, 16-17 and 26-27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Raspe (U.S. 6,775,768 B1) in view of Nishikawa et al. (7,280,245 B1)

further in view of Yeung (U.S. 6,426,798 B1).

        As to claim 7, Raspe and Nishikawa do not explicitly teach wherein the setup information

includes information on printing paper sizes to be used on the printer. However, Yeung teaches

the setup

        information includes information on printing paper sizes to be used on the printer (the

size and layout of the papers supported by the printer device; col. 8, line 67 – col. 9, line 2). It

would have been obvious to one of ordinary skill in the art at the time the invention was made to

apply the teaching of Yeung to the system of Nishikawa because Yeung teaches defining a data

structure for a universal printer description data file which can be implemented for virtually any

printer and virtually any operating system, thereby enabling a printer driver to interface with the

printer regardless of the operating system being utilized by the computer system (col. 2, lines 21-

43).

        As to claim 8, Raspe and Nishikawa do not teach wherein the setup information includes

information on measurement unit systems to be used for setting up printing condition. However

Yeung teaches the setup information includes all the printer related data such as Paper,

PaperHandling, Color, Platform, Language (See Figs. 3 and 4 and associated text). Although

Yeung does not explicitly teach information on measurement unit systems, it would have been

obvious to one of ordinary skill in the art that the information on measurement unit system would be one of printer related data and included in the setup information.

As to claims 16-17, see rejections of claims 7-8 above.

As to claims 26-27, see rejections of claims 7-8 above.

7.   **Claims 37-38 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishikawa et al. (7,280,245 B1) in view of Raspe (U.S. 6,775,768 B1) further in view of Yeung (U.S. 6,426,798 B1).**

As to claims 37-38, see rejections of claims 8 and 7 above, respectively.

As to claims 43-44, see rejections of claims 8 and 7 above, respectively.

8.   **Claims 9, 18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raspe (U.S. 6,775,768 B1) in view of Nishikawa et al. (7,280,245 B1) further in view of Garney (U.S. 6,081,850).**

As to claim 9, Nishikawa does not explicitly teach the selection step comprising the steps of referring to a table that correlates the regional information with addresses where each piece of

setup information is stored, and selecting a piece of setup information from multiple pieces of

setup information by specifying an address corresponding to the regional information.

However, Nishikawa teaches the piece of setup information is provided according to the

location of the printer driver (col. 8, lines 40-42). Garney teaches device drivers are stored on a

mass storage device of a computer system (col. 6, lines 1-10), the mass storage device has a look

up table which maps each type of the card to a memory area of the mass storage device, and the

device driver to control the card is stored in the memory area (col. 4, lines 44-55), and selecting

one of the driver by specifying an address (point directly to the location on the mass storage

device of the device driver; col. 9, lines 22-27).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teaching of Harding and Garney because it would improve the

performance of Harding system by referring directly to the locations of the software that need to

be installed.

As to claim 18, see rejection of claim 9 above.

As to claim 28, see rejection of claim 9 above.

9.   Claims 39 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nishikawa et al. (7,280,245 B1) in view of Raspe (U.S. 6,775,768 B1) further in view of

Garney (U.S. 6,081,850).

As to claim 39, see rejection of claim 9 above.

As to claim 46, see rejection of claim 9 above.

Response to Arguments

10.   Applicant's arguments with respect to claims 4-10, 13-18, 23-30 and 32-46 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEM K. CAO whose telephone number is (571)272-3760. The examiner can normally be reached on Monday - Friday, 7:30AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC
December 30, 2008

/Diem K Cao/
Acting Examiner of Art Unit 2194